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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Kehne et al.**

Serial No.: 09/726,290

Filed: November 30, 2000

For: **Method and Apparatus for
Updating New Versions of Firmware
in the Background**§
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Group Art Unit: 2122

Examiner: **Rutten, James D.**

Attorney Docket No.: AUS9-2000-0449-US1

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306, on March 11, 2004.

By: Michele Morrow

Michele Morrow

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated December 18, 2003, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 11 of this paper.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Kehne et al.**Serial No.: **09/726,290**Filed: **November 30, 2000**For: **Method and Apparatus for
Updating New Versions of Firmware
in the Background****35525**PATENT TRADEMARK OFFICE
CUSTOMER NUMBERGroup Art Unit: **2122**Examiner: **Rutten, James D.**Attorney Docket No.: **AUS9-2000-0449-US1**

§	Certificate of Transmission Under 37 C.F.R. § 1.8(a)
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§	Alexandria, VA 22313-1450, facsimile number (703) 872-9306,
§	on March 11, 2004.
§	By: <u>Michelle Morrow</u>
§	Michelle Morrow

TRANSMITTAL DOCUMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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Facsimile Cover Sheet

To: Commissioner for Patents for Examiner James D. Rutten Group Art Unit 2122	Facsimile No.: 703/872-9306
From: Michele Morrow Legal Assistant to Gerald H. Glanzman	No. of Pages Including Cover Sheet: 19
Message: Enclosed herewith: <ul style="list-style-type: none">• Transmittal Document; and• Response to Office Action.	
Re: Application No. 09/726,290 Attorney Docket No: AUS9-2000-0449-US1	
Date: Thursday, March 11, 2004	
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